

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HENRY R. TERRY,

Plaintiff,

ORDER
CV 09-2333 (RRM)(ARL)

-against-

THE INCORPORATED VILLAGE OF PATCHOGUE,
et al.,

Defendants.

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LINDSAY, Magistrate Judge:

Before the court is the *pro se* plaintiff's letter application dated July 22, 2010 (1) seeking to have the court take judicial notice of the "defendants' pattern of behavior as established in the *Wood* matter;" and (2) requesting a conference to address the possibility of bringing a motion for summary judgment to address, among other things, the plaintiffs' request for more time to serve discovery, to compel the defendants to complete discovery, and for various discovery sanctions. The defendants have opposed the motion by letter dated July 27, 2010. That application is denied. To begin with, the court will not take judicial notice of alleged conduct that occurred in another matter. Second, the court extended the defendants' time to respond to the document demands, and thus, the application was not ripe on the date it was filed. Finally, the defendants are correct that the plaintiff may not seek discovery unrelated to the claims and defenses in this lawsuit.

Also before the court is plaintiff's August 3, 2010 letter application, which purports to be a second response to the defendants' request for additional time to respond to the plaintiff's document demand. That request was granted by the court on July 22, 2010, and thus, the application is moot.

Dated: Central Islip, New York
August 26, 2010

SO ORDERED:

_____/s/_____
ARLENE R. LINDSAY
United States Magistrate Judge